

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building  
100 Maryland Avenue, Room 217  
Rockville, Maryland 20850  
(240) 777-6600**

<http://www.montgomerycountymd.gov/boa/>

**WORKSESSION MINUTES**

**Second Floor Davidson Memorial Hearing Room**

**Wednesday, September 10, 2014**

**ACTION ITEMS:**

1. Minutes, July 30, 2014 Worksession.

Action: Approved, (JHP/CJS, 5-0).

2. Minutes, July 30, 2014 Worksession Addendum.

Action: Approved, (JHP/CJS, 5-0).

3. **CBA-357, Petition of Wildwood Investment Corporation** (Off-street Parking). Letter to the Board from Patricia Harris, Esquire and Elizabeth Geare, Esquire, requesting an administrative modification. [Large Exhibits: site plans].

Action: (a) Granted administrative modification and the transfer of the special exception, (SBB/CJS, 5-0).

4. **CBA-2091-A, Petition of Montgomery Square-Copenhaver Swim Club** (Community Swimming Pool). Memorandum to the Board from Barbara Piczak-Cox, Inspector, Department of Permitting Services submitting the Inspection Report. Also a letter from Richard S. Meyer, Montgomery Square-Copenhaver Swim Club, requesting administrative modification to allow the farm stand under the new zoning ordinance.

Action: (a) Re-opened the record to include Ms. Cox's memorandum, (CJS/JHP, 5-0); (b) deferred administrative modification request to November for new zoning Ordinance, (consensus).

5. **CBA-2521-J, Petition of Medstar Montgomery Medical Center** (Hospital). Letter to the Board from Soo Lee-Cho, Esquire, submitting the Community Liaison Committee meeting minutes.

Action: Re-opened the record to include Ms. Lee-Cho's letter with attachment, (SBB/CJS, 5-0).

6. **S-274-D, Petition of Suburban Hospital** (Hospital). Letter to the Board from Norman Knopf, Esquire, requesting reconsideration of dismissal of residents' complaint of violation of terms and conditions of the special exception. Also included is a letter from Barbara Sears, Esquire and Erin Girard, Esquire.

Action: Denied the request for reconsideration of dismissal of the residents' complaint of violation of terms and conditions of the special exception, (DKP/CGT, 3-2).

7. **S-285-E, Petition of Norwood School, Inc,** (Private Educational Institution). Letter to the Board from Katherine Holt, Transportation Planner, M-NCPPC, notifying the Board of the Petitioner's submission of the peak hour period driveway counts, during summer camp and school session as per Condition 10 of the BOA Opinion.

Action: Re-opened the record to include Ms. Holt's letter with attachment, (SBB/CJS, 5-0).

8. **S-679, Petition of KFC National Management Company** (Drive-through window at an existing drive-in Restaurant). Memorandum to the Board from Barbara Piczak-Cox, Inspector, Department of Permitting Services, recommending revocation of the special exception as abandoned. Also included a confirmation letter from the petitioner.

Action: Revoked special exception as abandoned, (SBB/CJS, 5-0).

9. **S-1944, Petition of Four Streams limited Partnership** (Golf Course). Letter to the Board from Timothy Dugan, Esquire, informing the Board of a change of ownership and additional information requested by the Board. Item deferred for clarification. [W/S 7/30/2014].

Action: Granted the transfer of the special exception, (DKP/JHP, 5-0).

10. **S-2031, Petition of Spectrasite Communications, Incorporated (Richard Conner Riley & Associates, Agent)** (Telecommunications Facility). Letter to the Board from Cathy Borten, Esquire requesting an administrative modification.

Action: Granted the administrative modification and the transfer of the special exception, (CJS/SBB, 5-0).

- 11. S-2409, Petition of McDonald's Corporation** (Drive-in Restaurant). Letter to the Board from Christopher Ruhlen, Esquire, requesting an administrative modification. (Large Exhibits: (a) site plans; (b) exterior elevations.

Action: Granted the administrative modification, (DKP/JHP, 5-0).

- 12. S-2451, Petition Karen L. Halverstadt** (Accessory Apartment). Memorandum to the Board from Lynn McCreary, Inspector, Department of Housing and Community Affairs, requesting the revocation of the special exception. Also included a confirmation letter from the property owner.

Action: Revoked special exception as abandoned, (CJS/JHP, 5-0).

- 13. S-2560, Petition of Gregory and Susan Tassey** (Private Riding Stable). Letter to the Board from Grace Richards current owner requesting transfer of the special exception.

Action: Granted the transfer of the special exception, (JHP/DKP, 5-0).

- 14. S-2668, Petition of Taiwan Culture Center, Inc.** (Service Organization). Letter to the Board from Tai L. Huang, President, submitting an annual report and minutes of the Community Liaison Council meeting.

Action: Re-opened the record to include Mr. Huang's letter with attachment, (SBB/CJS, 5-0).

- 15. S-2669, Petition of Oakview Recreation Corporation and SBA Monarch Towers III LLC** (Telecommunications Facility). Letter to the Board from Susan Present requesting a public hearing on the administrative modification granted on July 24, 2014.

Action: Granted request for public hearing on the administrative modification granted on July 24, 2014, (DKP/SBB, 5-0).

- 16. S-2699, Petition of Petroleum Marketing Group** (Automobile Filling Station including a Car Wash and a Convenience Store). Letter to the Board from Jody Kline, Esquire requesting an extension of time to implement the special exception.

Action: Granted extension of time to implement the special exception for one year, (DKP/JHP, 5-0).

- 17. S-2720, Petition of Jean Szebeni** (Accessory Apartment). Letter to the Board from Mojan Bagha, property owner, requesting transfer of the special exception.

Action: Granted transfer of the special exception, (CJS/JHP, 5-0).

- 18. S-2807, Petition of J. B. Kline, Jr. Landscaping and Lawn maintenance, Inc.** (Established Landscaping Business ). Memorandum to the Board from Barbara Piczak-Cox, Inspector, Department of Permitting Services, requesting a show cause hearing.

Action: Schedule show cause hearing, (SBB/CJS, 5-0).

**DECISION ITEM:**

- 19 S-2761, Petition of Robert Pacano, d/b/a Woodstone Group, LLC.** (Landscape Contractor). Hearing Examiner's Report and Recommendation.

Action: (1) Adopted the Hearing Examiner's Report and Recommendation; (2) granted the special exception with conditions, (CJS/SBB, 5-0).

**PENDING ITEMS:**

- 20. S-763 [S-763-A], Petition of Silver Spring Temple and Library Association** (Service Organization). Letter to the Board from Sean Hughes, Esquire, requesting an administrative modification. [Large exhibits: title sheet, site survey, roof and equipment location plan, building elevations, equipment details). Deferred administrative modification request until a special exception application has been approved for the telecommunications facility. [W/S 3/10/2010].
- 21. S-2145, Petition of Southwestern Bell Mobile Systems, Inc.** (Telecommunication Facility). Letter to the Board from Karmen Rajamani, Zoning Manager, requesting a transfer of the special exception. Item deferred for confirmation of the transfer from Southwestern Bell Mobil Systems, Inc. [W/S 4/30/2008].

**Board Members**

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